

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

**IN RE TERRORIST ATTACK  
ON SEPTEMBER 11, 2001**

**ESTATE OF JOHN P. O'NEILL, SR.,  
On behalf of JOHN P. O'NEILL, SR.,  
deceased, and on behalf of decedent's  
heirs-at-law,, et al,**

**Plaintiffs,**

**v.**

**AL QAIDA, et al**

**Defendants**

**CASE NO.: 04-1923 (RCC)  
03 MDL 1570**

\* \* \* \* \*

**DEFENDANT MUSLIM WORLD LEAGUE'S ANSWER TO THE SECOND  
AMENDED COMPLAINT**

Defendant Muslim World League ("MWL"), through undersigned counsel, and pursuant to Rule 12, Fed. R. Civ. P., hereby submits its Answer to the Plaintiffs' Second Amended Complaint ("Complaint").

1. MWL does not possess sufficient information to admit or deny the allegations in paragraph 1.
2. MWL does not possess sufficient information to admit or deny the allegations in paragraph 2.
3. MWL does not possess sufficient information to admit or deny the allegations in paragraph 3.
4. MWL does not possess sufficient information to admit or deny the allegations in paragraph 4.
5. MWL does not possess sufficient information to admit or deny the allegations in paragraph 5.

6. MWL does not possess sufficient information to admit or deny the allegations in paragraph 6.
7. MWL does not possess sufficient information to admit or deny the allegations in paragraph 7.
8. MWL does not possess sufficient information to admit or deny the allegations in paragraph 8.
9. MWL does not possess sufficient information to admit or deny the allegations in paragraph 9.
10. MWL does not possess sufficient information to admit or deny the allegations in paragraph 10.
11. MWL does not possess sufficient information to admit or deny the allegations in paragraph 11.

#### **JURISDICTION AND VENUE**

12. MWL denies that this court has subject matter jurisdiction over MWL.
13. MWL denies that venue is proper in this district.

#### **PLAINTIFFS**

14. MWL does not possess sufficient information to admit or deny the allegations in paragraph 14.
15. MWL does not possess sufficient information to admit or deny the allegations in paragraph 15.
16. MWL does not possess sufficient information to admit or deny the allegations in paragraph 16.

17. MWL does not possess sufficient information to admit or deny the allegations in paragraph 17.
18. MWL does not possess sufficient information to admit or deny the allegations in paragraph 18.
19. MWL does not possess sufficient information to admit or deny the allegations in paragraph 19.
20. MWL does not possess sufficient information to admit or deny the allegations in paragraph 20.
21. MWL does not possess sufficient information to admit or deny the allegations in paragraph 21.

**DEFENDANTS**

22. MWL does not possess sufficient information to admit or deny the allegations in paragraph 22.
23. MWL does not possess sufficient information to admit or deny the allegations in paragraph 23.
24. MWL denies that allegations of paragraph 24 insofar as they relate to MWL.
25. MWL does not possess sufficient information to admit or deny the allegations in paragraph 25.
26. MWL does not possess sufficient information to admit or deny the allegations in paragraph 26.
27. MWL does not possess sufficient information to admit or deny the allegations in paragraph 27.

**COMMON FACTUAL ALLEGATIONS**

28. MWL does not possess sufficient information to admit or deny the allegations in paragraph 28.
29. MWL does not possess sufficient information to admit or deny the allegations in paragraph 29.
30. MWL does not possess sufficient information to admit or deny the allegations in paragraph 30.
31. MWL does not possess sufficient information to admit or deny the allegations in paragraph 31.
32. MWL does not possess sufficient information to admit or deny the allegations in paragraph 32.
33. MWL does not possess sufficient information to admit or deny the allegations in paragraph 33.
34. MWL does not possess sufficient information to admit or deny the allegations in paragraph 34.
35. MWL does not possess sufficient information to admit or deny the allegations in paragraph 35.
36. MWL does not possess sufficient information to admit or deny the allegations in paragraph 36.
37. MWL does not possess sufficient information to admit or deny the allegations in paragraph 37.
38. MWL does not possess sufficient information to admit or deny the allegations in paragraph 38.

39. MWL does not possess sufficient information to admit or deny the allegations in paragraph 39.
40. MWL does not possess sufficient information to admit or deny the allegations in paragraph 40.
41. MWL does not possess sufficient information to admit or deny the allegations in paragraph 41.
42. MWL does not possess sufficient information to admit or deny the allegations in paragraph 42.
43. MWL does not possess sufficient information to admit or deny the allegations in paragraph 43.
44. MWL does not possess sufficient information to admit or deny the allegations in paragraph 44.
45. MWL does not possess sufficient information to admit or deny the allegations in paragraph 45.
46. MWL does not possess sufficient information to admit or deny the allegations in paragraph 46.
47. MWL does not possess sufficient information to admit or deny the allegations in paragraph 47.
48. MWL does not possess sufficient information to admit or deny the allegations in paragraph 48.
49. MWL does not possess sufficient information to admit or deny the allegations in paragraph 49.

50. MWL does not possess sufficient information to admit or deny the allegations in paragraph 50.
51. MWL does not possess sufficient information to admit or deny the allegations in paragraph 51.
52. MWL does not possess sufficient information to admit or deny the allegations in paragraph 52.
53. MWL does not possess sufficient information to admit or deny the allegations in paragraph 53.
54. MWL does not possess sufficient information to admit or deny the allegations in paragraph 54.
55. MWL does not possess sufficient information to admit or deny the allegations in paragraph 55.
56. MWL does not possess sufficient information to admit or deny the allegations in paragraph 56.
57. MWL does not possess sufficient information to admit or deny the allegations in paragraph 57.
58. MWL does not possess sufficient information to admit or deny the allegations in paragraph 58.
59. MWL does not possess sufficient information to admit or deny the allegations in paragraph 59.
60. MWL does not possess sufficient information to admit or deny the allegations in paragraph 60.

61. MWL does not possess sufficient information to admit or deny the allegations in paragraph 61.
62. MWL does not possess sufficient information to admit or deny the allegations in paragraph 62.
63. MWL does not possess sufficient information to admit or deny the allegations in paragraph 63.
64. MWL does not possess sufficient information to admit or deny the allegations in paragraph 64.
65. MWL does not possess sufficient information to admit or deny the allegations in paragraph 65.
66. MWL does not possess sufficient information to admit or deny the allegations contained in paragraph 66.
67. MWL does not possess sufficient information to admit or deny the allegations contained in paragraph 67.
68. MWL does not possess sufficient information to admit or deny the allegations contained in paragraph 68.
69. MWL does not possess sufficient information to admit or deny the allegations contained in paragraph 69.
70. MWL does not possess sufficient information to admit or deny the allegations in paragraph 70.
71. MWL does not possess sufficient information to admit or deny the allegations in paragraph 71.

- 72. MWL does not possess sufficient information to admit or deny the allegations in paragraph 72.
- 73. MWL does not possess sufficient information to admit or deny the allegations in paragraph 73.
- 74. MWL does not possess sufficient information to admit or deny the allegations in paragraph 74.
- 75. MWL does not possess sufficient information to admit or deny the allegations in paragraph 75.
- 76. MWL does not possess sufficient information to admit or deny the allegations in paragraph 76.
- 77. MWL does not possess sufficient information to admit or deny the allegations in paragraph 77.
- 78. MWL does not possess sufficient information to admit or deny the allegations in paragraph 78.
- 79. MWL does not possess sufficient information to admit or deny the allegations in paragraph 79.
- 80. MWL does not possess sufficient information to admit or deny the allegations in paragraph 80.
- 81. MWL does not possess sufficient information to admit or deny the allegations in paragraph 81.
- 82. MWL does not possess sufficient information to admit or deny the allegations in paragraph 82.



83. MWL does not possess sufficient information to admit or deny the allegations in paragraph 83.
84. MWL does not possess sufficient information to admit or deny the allegations in paragraph 84.
85. MWL does not possess sufficient information to admit or deny the allegations in paragraph 85.
86. MWL does not possess sufficient information to admit or deny the allegations in paragraph 86.
87. MWL does not possess sufficient information to admit or deny the allegations in paragraph 87.
88. MWL does not possess sufficient information to admit or deny the allegations in paragraph 88.
89. MWL does not possess sufficient information to admit or deny the allegations in paragraph 89.
90. MWL does not possess sufficient information to admit or deny the allegations in paragraph 90.
91. MWL does not possess sufficient information to admit or deny the allegations in paragraph 91.
92. MWL does not possess sufficient information to admit or deny the allegations in paragraph 92.
93. MWL does not possess sufficient information to admit or deny the allegations in paragraph 93.

94. MWL does not possess sufficient information to admit or deny the allegations in paragraph 94.
95. MWL does not possess sufficient information to admit or deny the allegations in paragraph 95.
96. MWL denies the allegations of paragraph 96.
97. MWL admits that it was founded in 1962. MWL denies all of the other allegations of paragraph 97.
98. MWL denies the allegations of paragraph 98.
99. MWL denies the allegations of paragraph 99.
100. MWL does not possess sufficient information to admit or deny the allegations in paragraph 100.
101. MWL does not possess sufficient information to admit or deny the allegations in paragraph 101.
102. MWL does not possess sufficient information to admit or deny the allegations in paragraph 102.
103. MWL does not possess sufficient information to admit or deny the allegations in paragraph 103.
104. MWL does not possess sufficient information to admit or deny the allegations in paragraph 104.
105. MWL denies the allegations of paragraph 105 insofar as they relate to MWL.
106. MWL does not possess sufficient information to admit or deny the allegations in paragraph 106.
107. MWL denies the allegations of paragraph 107 insofar as they relate to MWL.

108. MWL does not possess sufficient information to admit or deny the allegations in paragraph 108.
109. MWL does not possess sufficient information to admit or deny the allegations in paragraph 109.
110. MWL does not possess sufficient information to admit or deny the allegations in paragraph 110.
111. MWL does not possess sufficient information to admit or deny the allegations in paragraph 111.
112. MWL does not possess sufficient information to admit or deny the allegations in paragraph 112.
113. MWL does not possess sufficient information to admit or deny the allegations in paragraph 113.
114. MWL does not possess sufficient information to admit or deny the allegations in paragraph 114.
115. MWL does not possess sufficient information to admit or deny the allegations in paragraph 115.
116. MWL does not possess sufficient information to admit or deny the allegations in paragraph 116.
117. MWL does not possess sufficient information to admit or deny the allegations in paragraph 117.
118. MWL does not possess sufficient information to admit or deny the allegations in paragraph 118.

- 119. MWL does not possess sufficient information to admit or deny the allegations in paragraph 119.
- 120. MWL does not possess sufficient information to admit or deny the allegations in paragraph 120.
- 121. MWL does not possess sufficient information to admit or deny the allegations in paragraph 121.
- 122. MWL does not possess sufficient information to admit or deny the allegations in paragraph 122.
- 123. MWL does not possess sufficient information to admit or deny the allegations in paragraph 123.
- 124. MWL does not possess sufficient information to admit or deny the allegations in paragraph 124.
- 125. MWL does not possess sufficient information to admit or deny the allegations in paragraph 125.
- 126. MWL does not possess sufficient information to admit or deny the allegations in paragraph 126.

**CLASS ACTION ALLEGATIONS**

- 127. MWL does not possess sufficient information to admit or deny the allegations in paragraph 127.
- 128. MWL does not possess sufficient information to admit or deny the allegations in paragraph 128.
- 129. MWL does not possess sufficient information to admit or deny the allegations in paragraph 129.

130. MWL does not possess sufficient information to admit or deny the allegations in paragraph 130.
131. MWL does not possess sufficient information to admit or deny the allegations in paragraph 131.
132. MWL does not possess sufficient information to admit or deny the allegations in paragraph 132.
133. MWL does not possess sufficient information to admit or deny the allegations in paragraph 133.

**CLAIMS**

**COUNT ONE**

***TORTURE VICTIM PROTECTION ACT***

134. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.
135. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.
136. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

137. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

**COUNT TWO**

***ALIEN TORT CLAIMS ACT***

138. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.
139. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.
140. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.
141. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

**COUNT THREE**

***WRONGFUL DEATH***

142. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

143. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.
144. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.
145. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.
146. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.
147. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

**COUNT FOUR**

***SURVIVAL***

148. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.
149. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

150. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

**COUNT FIVE**

***NEGLIGENT AND/OR INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS***

151. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.
152. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.
153. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.
154. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.
155. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.



**COUNT SIX**

***CONSPIRACY***

156. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.
157. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.
158. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.
159. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.
160. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.
161. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

**COUNT SEVEN**

***AIDING & ABETTING***

162. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.
163. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.
164. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.
165. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

**COUNT EIGHT**

***NEGLIGENCE***

166. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.
167. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

168. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.
169. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.
170. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

**COUNT NINE**

***18 U.S.C. §2333 (ANTI-TERRORISM ACT)***

171. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.
172. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.
173. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.
174. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

175. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

**COUNT TEN**

***18 U.S.C. § 1962(A) – CIVIL RICO***

176. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.
177. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.
178. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.
179. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.
180. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

**COUNT ELEVEN**

***PUNITIVE DAMAGES***

181. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.
182. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.
183. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

**COUNT TWELVE**

***PUNITIVE DAMAGES***

***FOREIGN STATE AGENCIES AND INSTRUMENTALITIES***

184. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.
185. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.
186. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

187. The allegations of this paragraph constitute a conclusion of law to which no response is required. To the extent a response is required, the allegations are denied.

188. Defendant, MWL request that all claims for relief be denied.

**FIRST AFFIRMATIVE DEFENSE**

(Failure to State a Claim)

Plaintiffs' claims fail to state a claim against MWL for which relief may be granted.

**SECOND AFFIRMATIVE DEFENSE**

(Causation)

There is no causal connection between any of MWL's activities and plaintiffs' injuries.

**THIRD AFFIRMATIVE DEFENSE**

(Causation)

No act or omission of any agent, servant, or employee of MWL proximately caused any harm or damages to plaintiffs.

**FOURTH AFFIRMATIVE DEFENSE**

(Other Tortfeasors)

Plaintiffs' damages and injuries were caused by other individuals or entities who are, or are not, named as parties to this action.

**FIFTH AFFIRMATIVE DEFENSE**

(Improper Venue)

This Court is not the proper venue for plaintiffs' claims against MWL.

**SIXTH AFFIRMATIVE DEFENSE**

(Subject Matter Jurisdiction)

This Court does not have subject matter jurisdiction over plaintiffs' claims against MWL.

**SEVENTH AFFIRMATIVE DEFENSE**

(Immunity)

MWL is an instrumentality of the government of the Kingdom of Saudi Arabia. Accordingly, MWL is immune from suit.

**EIGHTH AFFIRMATIVE DEFENSE**

(Personal Jurisdiction)

This Court does not have personal jurisdiction over plaintiffs' claims against MWL.

**NINTH AFFIRMATIVE DEFENSE**

(Estoppel)

Plaintiffs are estopped from receiving the relief requested against MWL.

**TENTH AFFIRMATIVE DEFENSE**

(Statute of Limitations)

Plaintiffs' claims against MWL are barred, in whole or in part, by the applicable statute of limitations.

**ELEVENTH AFFIRMATIVE DEFENSE**

(Punitive Damages)

Plaintiffs' claims for punitive damages against MWL are barred because MWL's activities, as alleged by plaintiffs, were not committed with intent, malice, willful and outrageous conduct aggravated by evil motive, or reckless indifference, and none of MWL's activities in any way were intended to, or did harm, the plaintiffs in this action.

**TWELFTH AFFIRMATIVE DEFENSE**

(No Double Recovery)

Plaintiffs' claims for compensatory and punitive damages are barred to the extent that some plaintiffs are also seeking recovery against MWL, for the same or similar claims, in the civil actions comprising the multi-district entitled *In re Terrorist Attacks on September 11, 2001*, 03 MDL 1570 (RCC), pending in the United States District Court for the Southern District of New York.

**THIRTEENTH AFFIRMATIVE DEFENSE**

In response to plaintiffs' claims, MWL intends to invoke any other defenses, including, affirmative defenses, as they may become apparent through discovery, and reserve the right, in accordance with the Federal Rules of Civil Procedure and the Local Civil Rules of the United States District Court for the Southern District of New York, to assert such defenses.

**FOURTEENTH AFFIRMATIVE DEFENSE**

The Central Intelligence Agency, The Federal Bureau of Investigation, and other agencies of the United States government had information and resources to prevent the September 11, 2001, attacks from occurring. But for their



failure to utilize this information and these resources, MWL would not be a named defendant in this action.

WHEREFORE, MWL requests that the Plaintiffs' Second Amended Complaint be dismissed with prejudice as to MWL, and the Court award attorney's fees and costs to MWL in defending this case with no factual or legal basis against MWL, and award any other relief that the Court deems just under the circumstances.

Respectfully submitted,

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